

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Large Entity)

Docket No.
ONYX 1033-RCE

In Re Application Of **Lebra Johnson, et al.**

Application No. 69/714,409	Filing Date November 14, 2000	Examiner Dave Nguyen	Customer No.	Group Art Unit 1632	Confirmation No. 9051
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Invention: An Oncolytic Adenovirus

COMMISSIONER FOR PATENTS:

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of September 9, 2004 above-identified application.

The requested extension is as follows (check time period desired):

<input type="checkbox"/> One month	<input type="checkbox"/> Two months	<input checked="" type="checkbox"/> Three months	<input type="checkbox"/> Four months	<input type="checkbox"/> Five months
from: _____	December 9, 2004	until: _____	March 9, 2005	
	<small>Date</small>		<small>Date</small>	

The fee for the extension of time is \$1,020 and is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 15-0615
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 15-0615
- Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

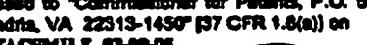
Dated: March 9, 2005

Gregory Giotto- Reg. No. 32,028

Oxyx Pharmaceuticals, Inc.
2160 Powell Street, 12th floor
Emeryville, CA 94605

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I hereby certify that the correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" (37 CFR 1.8(a)) on **VIA FACSIMILE 03-09-03**.

(Dated)

Signature of Person Mailing Correspondence

TERRI DAVIS

Typed or Printed Name of Person Mailing Correspondence

REC.
CENTRAL FAX CLERK

MAR 09 2005

CERTIFICATE OF FACSIMILE TRANSMITTAL

Facsimile Number: (703) 872-9306 Date of Transmission: March 9, 2005

I hereby certify that this correspondence (and all other documents mentioned therein) is being transmitted by facsimile to Mail Stop: Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, to the above facsimile number, on the above date.



Terri Davis

DOCKET NO. 1033-RCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Leisa Johnson, et al.

SC/Serial No.: 09/714,409

Filed: November 14, 2000

Title: An Oncolytic Adenovirus

PATENT APPLICATION

Art Unit No: 1632

Examiner: Dave Nguyen

Confirmation No. 5051

AMENDMENT

Mail Stop: Non Fee Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In RESPONSE to the Non-Final Action mailed September 9, 2004, for the above-referenced application, please enter the following amendments and remarks. A Petition for Extension of Time for 3-months, from December 9, 2004 to March 9, 2005 is included therein.

Amendments to the Claims are reflected in the listing of claims, which begin on page 2.
 Remarks/Arguments begin on page 4.